

STATE OF NEW YORK
COUNTY OF CAYUGA

LOCAL LAW NO. 7 FOR THE YEAR 2017

A LOCAL LAW REPEALING LOCAL LAW NO. 1 OF 2010 AND ESTABLISHING THE
OFFICE OF COUNTY ADMINISTRATOR FOR CAYUGA COUNTY

Section 1. LEGISLATIVE INTENT

By Local Law No. 1 of the year 2010 Cayuga County Legislature repealed Local Law 1 of 2006 and established the Office of County Administrator for Cayuga County and set forth the powers and duties of said position. The Cayuga County Legislature now desires to revise the powers and duties and the minimum qualifications set forth in said local law and by this local law shall set forth the powers, duties, mode of selection and removal, and term of office of the County Administrator.

Section 2. COUNTY ADMINISTRATOR: APPOINTMENT AND TERM OF OFFICE

A. There shall be a County Administrator who shall be directly responsible to the County Legislature and on behalf of the County Legislature shall perform the functions of a chief administrative officer, with the County Legislature retaining the final administrative authority. The position of County Administrator shall be unclassified for Civil Service purposes. The County Legislature shall have the power to appoint and remove the County Administrator and shall set the County Administrator's salary and allowable expenses and benefits. The County Legislature shall have the authority to enter into an agreement with the County Administrator setting forth the County Administrator's salary, allowable expenses and benefits, and such other terms and conditions of employment as the County Legislature deems appropriate. The term of office of the County Administrator appointed pursuant to this local law shall commence on the date of his or her appointment and shall expire on a date to be agreed upon by the Cayuga County Legislature and the County Administrator in a written contract of employment. The Cayuga County Legislature may remove the County Administrator, prior to the expiration of the County Administrator's term of office, upon the terms and conditions agreed upon between the Cayuga County Legislature and the County Administrator in a written employment agreement, including by reason of sickness or disability, to discharge the duties and responsibilities of office beyond the period of any leave authorized by the New York State Civil Service Law, subject to the following conditions:

- 1) The County Legislature shall adopt a resolution stating their intention to remove the County Administrator and the reasons therefore.
- 2) A copy of the resolution shall be served upon the County Administrator. The County Administrator may, within thirty (30) days, demand a hearing.
- 3) If the County Administrator demands a hearing, the County Legislature shall appoint a committee to hold a hearing, in executive session, not less than twenty (20) days nor more than fourth-five (45) days from the date of the demand. After the hearing, the committee shall recommend dismissal or retention of the County Administrator. The County Legislature may accept or reject the recommendation of the committee. The decision of the County Legislature shall be final and binding, subject to the right of appeal in accordance with law.
- 4) If the County Administrator does not demand a hearing, the County Legislature may dismiss the County Administrator thirty (30) days after service of a copy of the resolution upon the County Administrator.

5) Upon the passing of the resolution, the County Legislature may suspend the County Administrator from official duties without pay. If the charges against the County Administrator are not sustained by the County Legislature or are not sustained after any appeal from the decision of the County Legislature, the County Administrator shall be entitled to be paid for the period of suspension. An appointment to fill a vacancy in the Office of County Administrator shall be for the remainder of the predecessor's unexpired term.

Section 3. QUALIFICATIONS

A. At the time of appointment, the County Administrator shall have the following training and/or experience.

(1) Possess a Master of Public Administration or Master of Business Administration Degree or a Master's Degree in a closely related field and have a minimum of four years of satisfactory paid full time responsible management experience in a private or public business or industrial enterprise; or

(2) Possess a Bachelor's degree from an accredited college or university and have a minimum of six years satisfactory paid full time responsible management experience in a private or public business or industrial enterprise; or

(3) Have a minimum of ten (10) years satisfactory paid full time of progressively responsible management experience in a private or public business or industrial enterprise.

4) The County Administrator is to hold no other public, political office or other employment, except upon the approval of the Cayuga County Legislature. This position is a full time position in service to Cayuga County.

5) The County Administrator shall be appointed on the basis of these and such other qualifications as may be required for the responsibilities of the office.

B. The appointee need not be a resident of Cayuga County at the time of appointment but shall become so within 90 days of appointment, or a time period to be agreed to by the Legislature, and remain so during his or her term of office. Failure to become such a resident or to remain such a resident shall be cause for dismissal by the Cayuga County Legislature.

Section 4. POWERS AND DUTIES

The County Administrator shall oversee, provide leadership for and have general supervision over all departments, offices, and agencies within the county government structure, though the County Administrator may from time to time delegate this responsibility to the department's head(s). The County Administrator shall act as representative of the County Legislature. Within the limits of his or her authority, he or she shall be responsible to the County Legislature for the overall administration of county government and shall provide a full range of staff services to the County Legislature and its various committees. He or she shall coordinate the activities of the several officers, employees, agents, departments, boards, and agencies so that the policies and programs enunciated by the Cayuga County Legislature, as well as programs mandated by other governmental authority are implemented in a cost effective manner for the most benefit to the citizens served. The County Administrator shall be the Budget Officer and shall be responsible for the overall administration of County government, as directed by the County Legislature or pursuant to policies adopted by the County Legislature, and shall provide and coordinate staff services to the County Legislature, the Chairperson of the Legislature, and the committees of the Legislature. The County Administrator shall perform all the duties now and hereafter conferred or imposed upon the office by law and directed by the County Legislature and shall have all the powers and perform all the

duties necessarily implied or incidental thereto. Among such powers and duties, but not by way of limitation, are the following:

- A. To appoint such office staff as may be authorized by the Legislature.
- B. Act as the Budget Officer and facilitate the preparation of the annual budget and provide for appropriate budgetary controls and to promote the effective, efficient and economical management of appropriated funds. Oversee and monitor the budget for the County and be responsible for the development of the County budget with the Budget Office and Department Heads within the fiscal guidelines established by the County Legislature, and for the presentation of this budget annually at the public hearing. The County Administrator shall also be responsible for the development and recommendation of a budget program that includes long-range capital budgeting and annual operating capital budgets under the direction of the County Legislature
- C. To make recommendations to the appropriate committees of the Legislature, or the Chairperson of the Legislature, for appointments by the Legislature of all department heads of County government not administered by an elected official.
- D. To coordinate the activities of County department heads and the administration of all units of County government in order to most efficiently implement the directives of the Legislature.
- E. To supervise all County departments and agencies except as otherwise required by law. All department and agency heads shall be responsible to and report to the County Administrator, except as otherwise required by law.
- F. To report annually to the County Legislature concerning the administration and performance of County departments and agencies.
- G. To aid the County Legislature in evaluating proposals presented to it and make recommendations concerning such proposals.
- H. To serve as an advisor to the County Legislature and to develop policy and procedural recommendations for consideration by the Legislature which will promote economy and efficiency in the operation of County government.
- I. To undertake administrative and management studies and submit to the Legislature reports and recommendations regarding governmental operations as he or she may deem appropriate or the Legislature may request.
- J. To assume line authority over, and have day to day supervision over the purchasing group, the Department of Information Technology and to supervise and administer the Risk Management and Insurance Programs of county government.
- K. To initiate, administer and oversee the collective bargaining process in County negotiations with organized employee organizations.
- L. To represent the County Legislature in contacts with other political subdivisions and State and Federal officials and agencies.
- M. To serve as liaison between the County Legislature and the various boards, commissions and advisory committees and component agencies established by the County Legislature.
- N. To have such other powers and to perform such other duties as may now or hereafter be conferred or imposed by the County Legislature.

- O. Prepare resolutions as directed by the Standing Committees.
- P. Evaluate on an annual basis all department heads, excluding elected department heads and those appointed department heads who by statute report directly to the Legislature, and shall make recommendations on annual salaries/benefits.
- Q. To prepare for Legislative approval an evaluation and review process for those department heads who by statute report directly to the Legislature and to support the Legislature in implementation of that process.
- R. Conduct regular meetings with department heads and others as deemed necessary.
- S. Have the administrative responsibility of approving the organization within any specific department, or agency or operation subject to his/her direct administrative control and shall have administrative control of other temporary assignments within the same department, agency, or operation or from one department, agency or operation to another;
- T. Have such other powers and perform such other duties as may now or hereafter be conferred or imposed upon him or her by resolution of the County Legislature

Section 5. ANNUAL PERFORMANCE REVIEW

The County Administrator shall be evaluated by the Chair of the Legislature, Majority Leader, Minority Leader(s) and the Chair of the Government Operations Committee during the thirty (30) day period prior to October 1 of each year. The Annual Performance Review shall be chaired by the Chair of the Government Operations Committee who shall be responsible for developing a framework for performance review that will be approved by the Committee and by the Administrator. Such framework shall be in place no later than January 1 of each year except in year 1 of the Administrator's hire in which year a framework will be put in place as soon as practicable.

Section 6. NO DIVESTURE OF POWERS OR DUTIES OF THE LEGISLATURE

Nothing contained in this Local Law shall operate or be construed to divest the Legislature of Cayuga County of any of its functions, powers or duties.

Section 7. SEPARABILITY OF PROVISIONS

If any clause, sentence, paragraph, subdivision, section or part of this Local Law shall be adjudged by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation of the clause, sentence, paragraph, subdivision, section, or part thereof directly involved in the controversy in which such judgment, decree or order shall have been rendered.

Section 8. CONFLICT WITH PREVIOUS LOCAL LAWS OR RESOLUTIONS

In the event of a conflict or inconsistency between this Local Law and any previous Local Law or Resolution of the County Legislature, the terms of this Local Law shall govern. Local Law 1 of 2010 is hereby repealed. Local Law No. 1 of the year 2006 is hereby repealed.

Section 9. EFFECTIVE DATE

This Local Law shall take effect when all applicable statutory requirements for its passage and adoption have been complied with fully and it has been duly filed as provided by the Municipal Home Rule law.